

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

EDGAR T. RODRIGUEZ,

Civ. No. 6:18-cv-01640-MK

Plaintiff,

ORDER

v.

TIMOTHY HUNT; MARK
HUBBARD; FAITH MCCREADY;
CITY OF EUGENE,

Defendants.

AIKEN, District Court Judge

This matter comes before the Court on Objections, ECF No. 160, to a non-dispositive Opinion and Order issued by Judge Kasubhai, ECF No. 159, denying Defendants' Motion for Sanctions, ECF No. 131.

In accordance with Federal Rule of Civil Procedure 72(a), “[w]hen a pretrial matter not dispositive of a party’s claim or defense is referred to a magistrate judge to hear and decide, the magistrate judgment must promptly conduct the required proceedings and, when appropriate, issue a written order stating the decision.” Fed. R. Civ. P. 72(a). The standard for review for a non-dispositive order with objections is “clearly erroneous” or “contrary to law.” *Id.*; 28 U.S.C. § 636(b)(1)(A) (applying the “clearly erroneous or contrary to law” standard of review for non-dispositive motions). If a ruling on a motion is not determinative of a party’s claim or defense, it is not

dispositive and, therefore, is not subject to *de novo* review as are proposed findings and recommendations for dispositive motions under 28 U.S.C. § 636(b)(1)(B).

The Court has considered the Objections, ECF No. 160, raised by Defendants and concludes that they do not provide a basis to modify Judge Kasubhai's Order. The Objections are overruled.

It is so ORDERED and DATED this 23rd day of September 2024.

/s/Ann Aiken
Ann Aiken
U.S. District Judge